



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

LCC:ddj
Docket No: 4009-00
18 July 2000

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

[REDACTED]

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 18 July 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by CNO memorandum 7220 N09B SER 005 of 30 June 2000, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. By statute an individual can receive payment for Civilian Clothing Allowance one time during a three year period. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY

COMMANDING OFFICER
UNDERWATER CONSTRUCTION TEAM ONE
1465 HEWITT DRIVE
NORFOLK, VA 23521-2523

7220
Ser CO/ 036
2 May 00

From: Commanding Officer, Underwater Construction Team ONE
To: Chief of Naval Personnel (Code N09BU, BMCM(SW) Cruise)
Via: Board for Correction of Naval Records

Subj: CIVILIAN CLOTHING MILITARY ALLOWANCES

Ref: (a) MILPERSMAN 7220-230
(b) DoD Financial Management Regulation, Volume 7A, Chapter 29
(c) PHONCON CUCM Hierholzer/UCT ONE and BMCM Cruz/OPNAV 9N09BU of 03 April 2000

Encl: (1) List of Names and Social Security Numbers
(2) U.S. Department of Justice, Federal Bureau of Investigation ltr of 29 Mar 00
(3) DD Form 149
(4) Copy of NAVPERS 1320/16 (TEMADD TRAVEL ORDER)

1. Per references (a) through (c), request retroactive approval for subject allowance for service members listed in enclosure (1). Enclosure (2) details requirement for performance of duty in civilian clothes. As discussed in reference (c), the Navy Uniform Matters Office is the normal approval authority for subject allowance. However, since approval was not requested prior to performance of temporary duty solicitation and approval of the Board for Correction of Naval Records is required prior to approval of the Navy Uniform Matters Office.

2. The Underwater Construction Team ONE diving detachment was ordered to perform diving operations for the Federal Bureau of Investigation in Andrews North Carolina on 15 March 2000. The need to wear civilian clothes in the performance of their duties as outlined in enclosure (2) was not identified to the command until arrival on site. All detachment members incurred substantial costs to be outfitted for duty and meet the requirements of references (a) and (b) with the exception of the length of duty requirement of at least 15 days. Please consider a waiver to the length of duty requirement in light of the fact that out of pocket expenses were made to purchase clothing for the appropriate duty by each individual after arrival at the deployment site.

3. Point of contact at this command is CWO2 Patterson or CUCM (SCW/MDV) Hierholzer at commercial 757-462-7349/7704 or DSN 253-7349/7704

J.C. ROSNER



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON, D.C. 20350-2000

IN REPLY REFER TO

7220
N09BU
Ser 0005
JUN 30 2000

From: Chief of Naval Operations (N09BU)
To: Board for Correction of Naval Records

Subj: **CLOTHING ALLOWANCE, CIVILIAN TEMPORARY (CACT)**

Ref: (a) MEMO of 27 Jun 00
(b) DODFMR 290403
(c) MILPERSMAN 7220-230
(d) DODI. 1338.18

1. In response to reference (a), and IAW references (b) through (d), I recommend the following service members be disapproved for CACT as indicated below:

NAME	RANK	SSN	AMOUNT
[REDACTED]			

2. *Members' Master Military Pay Accounts (MMPAs) reflect they previously received CACT and have not yet exceeded the 36-month period IAW reference (b).

3. My point of contact is DK2 Kaloko at DSN 223-0936 or COMM 703-693-0936.

B. C. CRUSE
Assistant Head,
Navy Uniform Matters